

3101
1 BILL NO. G-77-07-13

2 GENERAL ORDINANCE NO. G- 43-77

3 AN ORDINANCE amending General Ordinance
4 No. G-97 by authorizing the vacation of
5 a certain utility easement.

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
7 FORT WAYNE, INDIANA:

8 SECTION 1. Petition for the vacation of a certain
9 utility easement having been filed with the Fort Wayne City Plan
10 Commission in accordance with Section 44, Chapter 174, of the Acts
11 of the General Assembly of the State of Indiana, as amended by
12 Section 3, Chapter 385, of the Acts of 1963 of the General Assembly
13 of the State of Indiana (I. C. 18-7-5-46), the Thoroughfare Plan
14 as set forth in General Ordinance No. G-97 adopted by the Common
15 Council of the City of Fort Wayne on November 26, 1963, is amended
16 by deleting the following utility easement, to-wit:

17 A three (3) foot easement; Starting at a point on the
18 southwest corner of the above mentioned lot proceed in
19 an easterly direction along the south property line for
20 a distance of 132 feet to the east property line; thence,
21 in a northerly direction along the east property line
22 for a distance of three feet; thence, in a westerly
23 direction along a line, parallel to the south property
24 line for a distance of 132 feet to the west property line;
25 thence in a southerly direction along the west property line
26 for a distance of three feet and to the point of starting -
27 Lot # 19 Baltes Fleming Esmond Addition.

28 SECTION 2. After passage of this Ordinance, approval by
29 the Mayor and legal publication, a duly certified copy of this
30 Ordinance, of the recommendation of the Fort Wayne City Plan
31 Commission, and of the action of the Mayor, shall be transmitted
32 by the City Clerk to the Board of Public Works of the City of Fort
33 Wayne, Indiana.

34 SECTION 3. This Ordinance shall be in full force and
35 effect from and after its passage, approval by the Mayor and legal
publication thereof.

36 William H. Schmidt
Councilman

37 APPROVED AS TO FORM
AND LEGALITY

38 Kerry J. Bender
39 Charles W. Atkinson
City Attorney

Read the first time in full and on motion by W. Schmidt, seconded by Hugo, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 7-12-77.

Charles W. Whitman
CITY CLERK

Read the third time in full and on motion by W. Schmidt, seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>✓</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>✓</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 11-22-77

Charles W. Whitman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING-MAP) (GENERAL) (~~ANNEXATION~~) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 2-43-77 on the 22nd day of November, 1977.
ATTEST: (SEAL)

Charles W. Whitman
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1977, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Whitman
CITY CLERK

Approved and signed by me this 25th day of November, 1977, at the hour of 10:00 o'clock _____ M., E.S.T.

Robert Elmsstrong
MAYOR

Bill No. G-77-07-13

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of a
certain utility easement

have had said Ordinance under consideration and beg leave to report back to the Common

Council that said Ordinance Do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE-CHAIRMAN

WILLIAM T. HINGA

DONALD SCHMIDT

SAMUEL J. TALARICO

Vivian G. Schmidt

Winfield C. Moses, Jr.

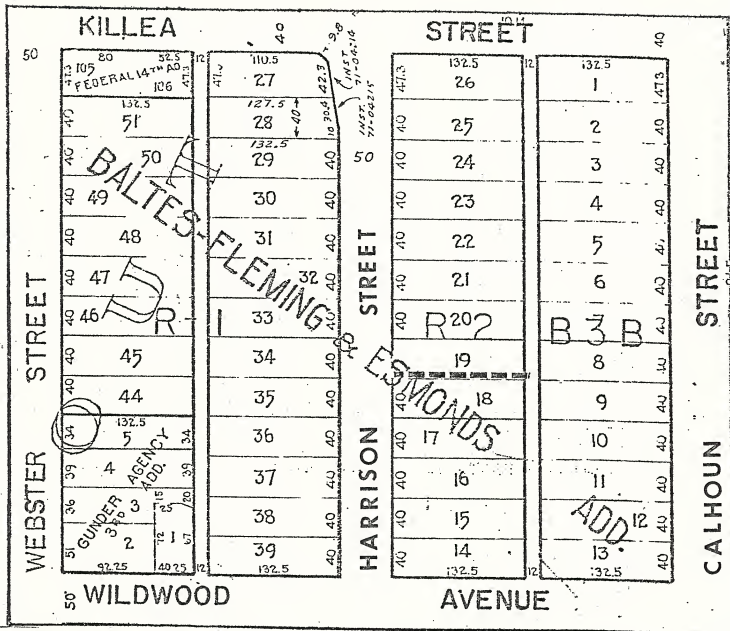
William T. Hinga

Samuel J. Talarico

CONCURRED IN

DATE 11-22-77

CHARLES W. WESTERMAN, CITY CLERK



VACATION FOR THREE FOOT EASEMENT

MAP NO. A4

M.F.C.
6-15-77

A
N
D

by Phaw
01/1/77
R E S O L U T I O N

WHEREAS, M. Miriam Valentine, has petitioned
(petitioners)

and requested the Fort Wayne City Plan Commission to hold a public hearing upon vacation of the following public dedicated utility easement, in Allen County, Indiana, to-wit:

A three (3) foot easement: Starting at a point on the southwest corner of the above mentioned lot proceed in an easterly direction along the south property line for a distance of 132 feet to the east property line; thence, in a northerly direction along the east property line for a distance of three feet; thence, in a westerly direction along a line, parallel to the south property line for a distance of 132 feet to the west property line; thence, in a southerly direction along the west property line for a distance of three feet and to the point of starting-Lot #19 Baltes Flemming Esmond Addition.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46, and,

WHEREAS, notice of such public hearing will be given by due and proper publications thereof;

WHEREAS, said vacation of utility easement has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Electrical Engineering, Park Board.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Public Board of Works that the vacation of said public utility easement, hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana. BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

I, HENRY P. WEHRENBURG, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting held on August 1, 1977, and as the same appears of record in the official records of said Board of Public Works.

Dated this 1st day of August,
1977

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenburg
Chairman

E. W. LaMar
Member

Member

R E S O L U T I O N

WHEREAS, M. Miriam Valentine, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public utility easement situated in Fort Wayne, Allen County, Indiana, to-wit:

A three (3) foot easement: Starting at a point on the southwest corner of the above mentioned lot proceed in an easterly direction along the south property line for a distance of 132 feet to the east property line; thence, in a northerly directly along the east property line for a distance of three feet; thence in a westerly direction along a line, parallel to the south property line for a distance of 132 feet to the west property line; thence, in a southerly direction along the west property line for a distance of three feet and to the point of starting - Lot # 19 Baltes Flemming Esmond Addition.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46;

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on August 15th, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public utility easement.

WHEREAS, said vacation of easement has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering and thru the Park Board.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of easements in Allen County, Indiana.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, Joseph N. Adair, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correction copy of a resolution adopted by the Fort Wayne City Plan Commission held on August 22, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 4th DAY OF November, 1977.

FORT WAYNE CITY PLAN COMMISSION

Joseph N. Adair

Joseph N. Adair
Secretary

PETITION TO VACATE DEDICATED UTILITY EASEMENT

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The Undersigned petition(s), does (do) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following public dedicated utility easement within the City of Fort Wayne, Indiana, and hereby described as follows:

A three (3) foot easement: Starting at a point on the southwest corner of the above mentioned lot proceed in an easterly direction along the south property line for a distance of 132 feet to the east property line; thence, in a northerly direction along the east property line for a distance of three feet; thence, in a westerly direction along a line, parallel to the south property line for a distance of 132 feet to the west property line; thence in a southerly direction along the west property line for a distance of three feet and to the point of starting - Lot # 19 Baltes Flemming Esmond Addition.

In support thereof, your petitioner(s) would represent as follows:

1. That they are the owners of said real estate (Lot # 19 Baltes Flemming Esmond Addition).
2. That Easement was granted to Electrical Engineering / City Utilities, in 1969 for the installation and maintenance of overhead street lighting wires for the City Utilities and City of Fort Wayne.
3. That all wires and poles for overhead street lighting have now been removed from said easement.
4. That no other person, firm, or corporation is interested in or affected by the requested vacation.
5. That the maintenance of said dedicated utility easement is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would go to the best interest of the City and citizens thereof.

Your petitioners file this petition pursuant to the authority granted in Indiana Code, Section 18,7-5-46, in order to complete the vacation as above described.

WHEREFORE, your petitioner(s) pray that the above described dedicated public utility easement be vacated to the provision of the Indiana Law pertaining thereto.

DATED THIS 20th DAY OF June, 1977

M. Miriam Valentine
M. Miriam Valentine
3009 South Harrison Street.

RETURN TO
ELECTRICAL ENGINEERING
CITY UTILITIES
308 E. BERRY STREET
FORT WAYNE, INDIANA

DISTRICT NO.

46507

Ph # 45-0488

all lines
light poles
removed in
area 76 in 75

GRANT OF EASEMENT

This indenture witnesseth that M. Miriam Valentine, 3009 South Harrison

owner of lot number #19 of Baltes Flemming Esmond

Addition to the City of Fort Wayne, Allen County, Indiana,

do hereby grant a three foot easement in and over said above

lot for the installation and maintenance of overhead street lighting wires

for the City Utilities and City of Fort Wayne, Indiana, and described as

follows, to-wit: Starting at a point on the southwest corner of the above

mentioned lot proceed in an easterly direction along the south property line for a distance of 132 feet to the east property line; thence, in a northerly direction along the east property line for a distance of three feet; thence, in a westerly direction along a line, parallel to the south property line for a distance of 132 feet to the west property line; thence in a southerly direction along the west property line for a distance of three feet and to the point of starting.

In Witness Whereof, the grantor hereunto set their hand and seal this

_____ day of _____ 19 _____

*Call 7/1/69
They called & said
I should contact
Patricia Ramsey
City Planning
423-7571*

M. Miriam Valentine

State of Indiana (

County of Allen (

Before me a Notary Public in and for said State and County personally

appeared M. Miriam Valentine
and acknowledged the execution of the grant of easement as their voluntary act and deed. The grantor certify under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this easement.

Fred Catherine Sully
NOTARY PUBLIC, ALLEN COUNTY, INDIANA.

MY COMMISSION EXPIRES May 26, 1969

PREPARED BY JAMES RUPLEY
Electrical Engr. Inc.
742-0172

6/9/77 Called Engr. Dept City County Plg
423-7311
They will return my call

DIGEST SHEET

TITLE OF ORDINANCE Easement vacation ordinance

Regulation
B-77-07-13

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of the following described easement:

A three foot easement located on the south side of Lot # 19 Baltes Fleming Esmond Addition.

EFFECT OF PASSAGE In 1969 petitioner dedicated this easement to the city for use of utility poles. Poles have now been removed with the new lighting on South Harrison. Petitioner wishes now to obtain easement back.

EFFECT OF NON-PASSAGE Easement will remain, but unused.

none

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

November 29, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates December 1, 1977 and December 8, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

General Ordinance No. G-43-77
Bill No. G-77-07-13

Bill No. G-77-07-29 (AS AMENDED)
General Ordinance No. G-41-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 2

Common Council of Fort Wayne

(Governmental Unit)

To THE NEWS-SENTINEL

Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____

Body number of lines _____

number of lines _____

Total number of lines in notice _____

F CHARGES

_____ lines, _____ columns wide equals _____ equivalent lines at _____ cents per line _____ \$29.53

_____ additional charge for notices containing rule or tabular work (50 per cent of above) _____

_____ for extra proofs of publication (50 cents for each proof in excess of two) _____ \$1.50

TOTAL AMOUNT OF CLAIM

\$31.03

PRINTING COST

_____ of single column _____

Size of type _____ point

_____ of insertions _____

Size of quad upon which type is cast _____

provision and penalties of Ch. 89, Acts 1967,

at the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

V. E. Gerken

P 8, 1977

Title _____ CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned _____ V. E. GERKEN

that she is _____ CLERK _____ of the

NEWS-SENTINEL

a _____ DAILY _____ newspaper of general circulation printed and published

in the English language in the city _____ of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for _____ time _____, the dates of publication being as follows: _____

INDEX 12/1-8/77

Subscribed and sworn to before me this _____ 6th _____ day of _____ December _____ 1977

Notary Public

My commission expires September 28, 1979

Notice is hereby given that on the 22nd day of November, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-77-67-13, G-43-77 General Ordinance, to-wit:

Bill No. G-77-67-13

General Ordinance No. G-43-77 AN ORDINANCE amending General Ordinance No. G-77 by authorizing the vacation of a certain utility easement.

Be It ordained by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1. Petition for the vacation of a certain utility easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 285, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 16-2-5-6), the thoroughfare plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following utility easement, to-wit:

A three (3) foot easement: Starting at a point on the southwest corner of the above mentioned lot proceed in an easterly direction along the south property line for a distance of 132 feet to the east property line; thence in a northerly direction along the east property line for a distance of three feet; thence, in a westerly direction along a line, parallel to the south property line for a distance of 132 feet to the west property line; thence in a southerly direction along the west property line for a distance of three feet and to the point of starting. Lot #19 Baites Flemming Esmond Addition

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

VIVIAN C. SCHMIDT

Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Siler, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, D. J. Schmidt, V. Schmidt, Siler, Talarico.

Nays: None

Date: 11-22-77

Charles W. Westerman

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-43-77 on the 22nd day of November, 1977.

Attest: (SEAL)

Charles W. Westerman John Nuckols

City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 22nd day of November, 1977, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman

City Clerk

Approved and signed by me this 25th day of November, 1977, at the hour of 10:00 o'clock A.M.

Robert E. Armstrong

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-43-77 passed by the Common Council on the 22nd day of November, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of November, 1977 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of November, 1977.

CHARLES W. WESTERMAN

City Clerk

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____

Body number of lines 112

Tail number of lines 2

Total number of lines in notice 114

COMPUTATION OF CHARGES

114 lines, 1 columns wide equals 114 equivalent lines at 25.94 cents per line 29.53

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM 31.03

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date December 8, 1977

Title _____ CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL
DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

12/1-8/77

Subscribed and sworn to before me this 8th day of December, 1977
Notary Public

My commission expires September 28, 1979

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PAL

Common Council of Fort Wayne
(Governmental Unit)To JOURNAL-GAZETTE

Dr.

Allen County, Ind.FORT WAYNE, INDIANA**PUBLISHER'S CLAIM****LINE COUNT**

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Head number of lines _____

Body number of lines 112

number of lines 2

Total number of lines in notice 114

Notice is hereby given that on the 22nd day of November, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following (Bill No. G-77-97-13, G-43-77 General Ordinance, to-wit:

Bill No. G-77-97-13

General Ordinance No. G-43-77
AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain utility easement.

Be it ordained by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1. Petition for the vacation of a certain utility easement having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (I.C. 18-2-5-4), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 24, 1963, is amended by deleting the following utility easement, to-wit:

A three (3) foot easement: Starting at a point on the southwest corner of the above mentioned lot proceed in an easterly direction along the south property line for a distance of 132 feet to the east property line; thence in a northerly direction along the east property line for a distance of three feet; thence, in a westerly direction along a line, parallel to the south property line for a distance of 132 feet to the west property line; thence in a southerly direction along the west property line for a distance of three feet and to the point of starting. Lot #19 Bailes Flemming Esmond Addition.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.
VIVIAN G. SCHMIDT
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Sier, and duly adopted, placed on this passbook. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckolls, D. Schmidt, V. Schmidt, Sier, Talarico.
Nays: None
Rolls: 11-22-77
Charles W. Westernman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, at General Ordinance No. G-43-77 on the 22nd day of November, 1977.

ATTEST: (SEAL)
Charles W. Westernman John Nuckolls
City Clerk President of Council
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 22nd day of November, 1977, at the hour of 11:00 o'clock A.M., E.S.T.
Charles W. Westernman
City Clerk

Approved and signed by me this 25th day of November, 1977, at the hour of 10:00 o'clock A.M.
Robert E. Armstrong
Mayor

I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-43-77 passed by the Common Council on the 22nd day of November, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of November, 1977 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of November, 1977.
CHARLES W. WESTERMAN
City Clerk

IF CHARGES

14 lines, 1 columns wide equals 114 equivalent lines at .259¢ cents per line \$ 29.53

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM \$ 31.03

PUTTING COST

Number of single columns 9.9 items Size of type 5 1/2 point
Number of insertions 2 Size of quad upon which type is cast 5 1/2

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just no part of the same has been paid.

Arvilla DeWald
CLERK
Title _____

Number 8, 19 77

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 1, the dates of publication being as follows:

12/1-8/77

Subscribed and sworn to before me this 8th day of December 1977

My commission expires September 28, 1979

Common Council of Fort Wayne
(Governmental Unit)To JOURNAL-GAZETTE Dr.Allen County, Ind.FORT WAYNE, INDIANA**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____

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Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50TOTAL AMOUNT OF CLAIM \$ 31.03**DATA FOR COMPUTING COST**Width of single column 9.9 emsSize of type 5 1/2 pointNumber of insertions 2Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date December 8, 1977Title Arvilla De Told CLERK**PUBLISHER'S AFFIDAVIT**State of Indiana }
ALLEN County } ss:Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of theJOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 1, the dates of publication being as follows:12/1-8/77Subscribed and sworn to before me this 8th day of December 1977Arvilla De Told
Notary PublicMy commission expires September 28, 1979EACH COPY OF
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